

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2005 NOV -9 P 1:45

BALBIR SINGH,

Plaintiff,

v.

MGI PHARMA, INC. and
MGI PHARMA BIOLOGICS, f/k/a
ZYCOS, INC.,

Defendants.

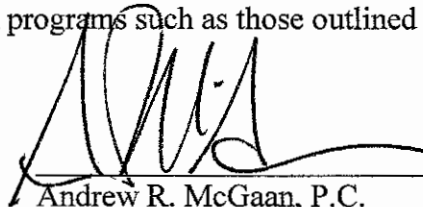
U.S. DISTRICT COURT
DISTRICT OF MASS.

Civil Action No.: 05 167 1 GAO

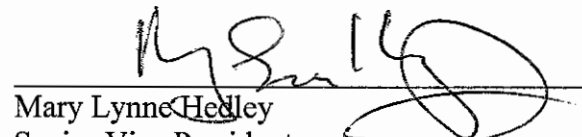
**LOCAL RULE 16.1(D)(3) CERTIFICATION OF
DEFENDANT MGI PHARMA BIOLOGICS, INC.**

This shall affirm that pursuant to L.R. 16.1(D)(3) the undersigned have conferred
regarding a budget for the costs of the full course and alternative courses of this action, and
regarding the use of alternative dispute resolution programs such as those outlined in L.R. 16.4.

November 7, 2005



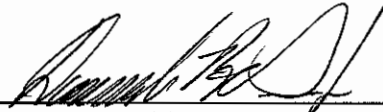
Andrew R. McGaan, P.C.
Jamenda A. McCoy
KIRKLAND & ELLIS LLP
200 East Randolph Drive
Chicago, Illinois 60601
Phone: (312) 861-2000
Fax: (312) 861-2200



Mary Lynne Hedley
Senior Vice President
MGI PHARMA BIOLOGICS, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this date I served a true copy of the foregoing document on the attorney of record for each other party by mail.

A handwritten signature in black ink, appearing to read "Donald R. Pinto, Jr.", is written over a horizontal line.

Donald R. Pinto, Jr.

Dated: November 9, 2005